

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MARK STEVENS,

Petitioner,

-against-

S. WALKER, Warden at R.N.D.C. C-74,

Respondent.

22-CV-6545 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

By order dated August 2, 2022, the Court directed Petitioner, within thirty days, to submit a completed request to proceed *in forma pauperis* (IFP) or pay the \$5.00 filing fee. That order specified that failure to comply would result in dismissal of the petition. Petitioner has not filed an IFP application or paid the fee.<sup>1</sup> Accordingly, the petition is dismissed without prejudice. *See* 28 U.S.C. §§ 1914, 1915.

Because the petition makes no substantial showing of a denial of a constitutional right, a certificate of appealability will not issue. *See* 28 U.S.C. § 2253.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

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<sup>1</sup> Public records maintained by the New York City Department of Correction show that Petitioner was released on September 12, 2022. *See* <https://a073-ils-web.nyc.gov/inmatelookup/pages/detail/body.jsf>.

The Clerk of Court is directed to enter judgment in this case.

SO ORDERED.

Dated: October 3, 2022  
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN  
Chief United States District Judge